

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESUS ARRIAGA,

Defendant.

Case No. 24-CR-27-3-JPS

ORDER

On February 13, 2024, the grand jury returned a six-count Indictment charging Defendant with four counts in violation of 18 U.S.C. §§ 1343 and 2(a); one count in violation of 18 U.S.C. §§ 371 and 2(a); and one count in violation of 18 U.S.C. §§ 2321 and 2(a). ECF No. 1. On October 8, 2024, the parties filed a plea agreement indicating that Defendant agreed to plead guilty to Count One of that original Indictment, with the Government to move to dismiss the remaining counts as to Defendant at the time of sentencing.¹ ECF No. 50.

The parties appeared before Magistrate Judge Nancy Joseph on October 23, 2024 to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. ECF No. 56. Defendant entered a plea of guilty as to Count One of the Indictment. *Id.* After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Judge Joseph determined that the guilty plea was knowing and voluntary, and that the offenses charged were supported by an

¹The Government and Defendant have confirmed that the Plea Agreement filed on October 8, 2024 (ECF No. 50) applies to the original Indictment and not the Superseding Indictment also filed on October 8, 2024 (ECF No. 51). ECF No. 56. The parties have agreed that the Government will waive anything additional in the Superseding Indictment at Mr. Arriaga's sentencing.

independent factual basis containing each of the essential elements of the offenses. *Id.*

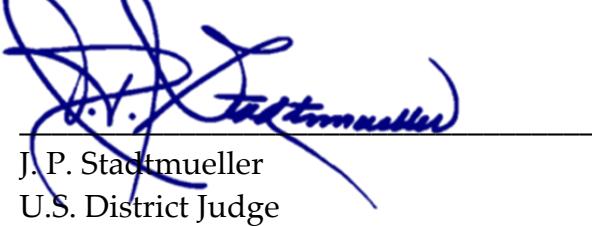
On October 23, 2024, Magistrate Judge Joseph filed a Report and Recommendation with this Court, recommending that: (1) Defendant's plea of guilty be accepted; (2) a presentence investigation report be prepared; and (3) Defendant be adjudicated guilty and have a sentence imposed accordingly. ECF No. 57. Pursuant to General Local Rule 72(c), 28 U.S.C. § 636(b)(1)(B), and Federal Rule of Criminal Procedure 59(b), the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation. *Id.* To date, no party has filed such an objection. The Court has considered Magistrate Judge Joseph's recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge Nancy Joseph's Report and Recommendation, ECF No. 57, be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 20th day of November, 2024.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge